



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Amended First and Final Account and Report of Executor and Petition for Its Settlement and for Final Distribution

DOD: 4/19/2004		STEPHEN RONALD CLOUD, brother/Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting - \$4,970,876.00	
		Beginning POH - \$4,970,876.00	
		Ending POH - \$4,970,876.00	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified	Executor - waives.	
✓	Inventory	Attorney - \$28,086.36 (less than statutory)	
✓	PTC		
✓	Not.Cred.	Costs - \$8,919.63 (filing fees, probate referee, publication)	
✓	Notice of Hrg	W/	
✓	Aff.Mail	This estate overpaid the initial filing fee and therefore requests a refund of \$3,315.00 from the clerk of the court.	
	Aff.Pub.		
✓	Sp.Ntc.	Will devises the residue of the estate to a testamentary trust. The trust is to distribute when the beneficiaries reach the age of 35. Petitioner states both beneficiaries are over 35 therefore request that the estate distribute to them directly.	
	Pers.Serv.		
	Conf. Screen		
✓	Letters	8/30/06	
	Duties/Supp		
	Objections		
	Video Receipt	Distribution, pursuant to Decedent's Will is to:	
	CI Report	Stephen Ronald Cloud, Jr. (nephew) – ½ of the property on hand;	
✓	9202		
✓	Order	Ryan Cloud (nephew) ½ of the property on hand.	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 12/18/13
			Updates:
			Recommendation: SUBMITTED
			File 1 – Cloud

Atty Magness, Marcus D.

Atty Wright, Janet L

Petition for Acceptance of Resignation of Trustee of Sub-Trust Established for the Benefit of Michael Coit and Request for Appointment of Successor Trustee

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	

OFF CALENDAR

Pursuant to the Order on Stipulation for Request to Hear Petition for Acceptance of Resignation of Trustee of Sub-Trust Established for the Benefit of Michael Coit and Request for Appointment of Successor Trustee on December 11, 2013 and Waiver of Notice by Beneficiaries filed 12/12/13

Order on Petition for Acceptance of Resignation of Trustee of Sub-Trust Established for the Benefit of Michael Coit and Request for Appointment of Successor Trustee was filed 12/12/13

Reviewed by: JF

Reviewed on: 12/17/13

Updates:

Recommendation:

File 2 – Coit

DOD: 07/05/2013		DAVID PATRICK FERRELL, MICHAEL JOHN FERRELL, and HUGH JOSEPH FERRELL , sons are petitioners. 40 days since DOD No other proceedings I&A - \$130,000.00 Decedent died intestate Petitioner requests Court determination that decedent's 100% interest in real property located at 2323 N. Jackson, Fresno, Ca., pass 1/3 rd to David Patrick Ferrell, 1/3 rd to Michael John Ferrell and 1/3 rd Hugh Joseph Ferrell pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of decedent's spouse per Local Rule 7.7.1D. 2. #9(3) or 9(4) of the petition is not answered regarding a registered domestic partner. 3. #5(a) or #5(b) of the Inventory and Appraisal was not marked regarding the property tax certificate.
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: LV	
		Reviewed on: 12/18/2013	
		Updates:	
		Recommendation:	
		File 3 – Ferrell	

4 Ariel Golden, Dallas Kerns, Dylan Kerns & Dwayne McCoy (GUARD/P)

Case No.

09CEPR00065

Atty Crawford, Angelita C. (pro per Guardian/maternal grandmother)

Atty English, Anita (pro per Petitioner/mother)

Petition for Termination of Guardianship

Ariel age: 15	ANITA R. ENGLISH , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the Notice of Hearing on: a. Danny Earl Golden (father of Ariel) b. Charles Kerns (father of Dallas and Dylan) c. Dwayne McCoy (father of Dwayne) d. Ariel Golden (minor) 2. Petition does not state why terminating the guardianship would be in the best interest of the minors. Court Investigator Charlotte Bien to provide: 1. Court investigator's report
Dallas age: 9	ANGELITA CRAWFORD , maternal grandmother, was appointed guardian of Ariel on 4/22/2009 and was appointed guardian of Dallas, Dylan and Dwayne on 1/12/13. – <i>Guardian was served by mail on 10/23/13.</i>	
Dylan age: 8		
Dwayne age: 1		
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Father (of Ariel): DANNY EARL GOLDEN	
<input checked="" type="checkbox"/> Verified	Father (of Dallas and Dylan): CHARLES KERNS	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Father (of Dwayne): WAYNE McCOY –present in court on 12/9/13.	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner does not state why terminating the guardianship would be in the best interest of the minors.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Reviewed by: KT
Reviewed on: 12/18/2013
Updates:
Recommendation:
File 4 – Golden, Kerns & McCoy

Atty Garcia, Pedro H (Pro Per – Petitioner – Paternal Grandfather)

Atty Garcia, Juanita (Pro Per – Petitioner – Paternal Grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4 months		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		PEDRO H. GARCIA and JUANITA GARCIA, paternal grandparents are petitioners.		CI Jennifer Young to provide:	
		Father: PEDRO GARCIA JR.		1) CI Report	
		Mother: CONNIE RINCON , Consents and Waives Notice		2) Clearances	
Cont. from		Maternal Grandparents: Not Listed		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
	Aff.Sub.Wit.			<ul style="list-style-type: none"> Pedro Garcia Jr. (Father) 	
✓	Verified			Note: Petition states the father is in Fresno County Jail.	
	Inventory			2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
	PTC			<ul style="list-style-type: none"> Maternal Grandparents (Not Listed) 	
	Not.Cred.			3. The Declaration of Due Diligence filed 10/28/2013 for Richard Rincon does not state the relationship to the minor therefore it is unclear how this individual is related to this case.	
✓	Notice of Hrg			4. The Declaration of Due Diligence filed 10/28/2013 for Sandra Tavin does not state the relationship to the minor therefore it is unclear how this individual is related to this case.	
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	x			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 12/18/2013	
				Updates:	
				Recommendation:	
				File 5 – Garcia	

Atty Yates, M. Jacqueline, of Stammer, McKnight, Barnum & Bailey (for Petitioner Sherie Dauer)

Petition for Appointment of Temporary Guardianship of the Person

Age: 4 years		<u>General Hearing set for 2/11/2014</u>		NEEDS/PROBLEMS/COMMENTS:	
		SHERIE JEANE DAUER , step-mother, is Petitioner.		Notes:	
		Father: DANNY DAUER		<ul style="list-style-type: none"> Order on Ex Parte Application for Order Dispensing with Notice of Hearing on Temporary Guardianship to Danny Dauer filed on 12/11/2013 denies the application. 	
Cont. from		Mother: MELISSA ANN STICKLES ;		<ul style="list-style-type: none"> Temporary Restraining Order was granted on 12/4/2013 in Family Law Case #13CEFL06443, protecting SHERIE DAUER (Petitioner), EMILY DAUER, and JACLYN DAUER, from the father, DANNY DAUER, which expires on 12/18/2013. 	
	Aff.Sub.Wit.	Consents and waives notice.		<ul style="list-style-type: none"> Family Law Case #13CEFL00327 Step-parent Adoption is currently pending for the adoption of the proposed ward by the Petitioner. 	
✓	Verified	Paternal grandfather: Daniel Dauer; deceased.		1. Pursuant to Probate Code 2250(e), need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or a Declaration of Due Diligence for: <ul style="list-style-type: none"> Danny Dauer, father. 	
	Inventory	Paternal grandmother: Joyce Dauer			
	PTC	Maternal grandfather: Unknown			
	Not.Cred.	Maternal grandmother: Unknown; deceased.			
✓	Notice of Hrg	Petitioner states the child needs a temporary guardian to care for her, based upon the following:			
	Aff.Mail	<ul style="list-style-type: none"> Jaclyn has been living exclusively with Petitioner since October 2012 when Danny, who is Jaclyn's father, moved out of the family residence; 			
	Aff.Pub.	<ul style="list-style-type: none"> Petitioner and Danny were married on 4/6/1991; they have been separated since 12/7/2012; 			
	Sp.Ntc.	<ul style="list-style-type: none"> She and the father have 4 daughters: 3 together (Amber – now adult; Macalla – now adult; and Emily (age 12)); Jaclyn is the daughter of Danny and Melissa Ann Stickles; 			
	Pers.Serv.	X	<ul style="list-style-type: none"> Petitioner and Danny have been raising Jaclyn with the mother's consent since Jaclyn was born; Jaclyn's mother is unable to care of her; 		
✓	Conf. Screen	~Please see additional page~			
	Aff Post				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
✓	Letters				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LEG	
				Reviewed on: 12/18/13	
				Updates:	
				Recommendation:	
				File 6 - Dauer	

Petitioner states, continued:

- On 9/30/2012, Petitioner discovered Danny was having an affair; the next day she asked Danny to move out of their house, although they continued to try and work out the issues in their relationship until Christmas 2012;
- In October 2012, Petitioner arranged for Danny to stay at a friend's property located on Sample Ave. in Fresno; Petitioner and Danny later purchased this house and Petitioner continued to reside there;
- On 11/17/2012, Petitioner went to meet Danny at the Sample residence where their horses were kept; she and Danny went to dinner and got into an argument about his affair; Danny lost his temper, lifted her off the ground by her neck and pushed her head into the wall; he threw her to the ground, kicked her in the side and hit her in the head; she may have lost consciousness; although she does not recall the specific dates, there were several similar instances of physical abuse while we were trying to resolve our issues;
- In April 2013, Petitioner decided she could not continue to try and fix a relationship with Danny; she found out he was continuing to have affairs and could not continue to allow him to belittle her in front of their children;
- Jaclyn has live with her since Danny moved out on 10/1/2012; she is the primary person caring for her and providing her with a wholesome and stable environment, and the only mother she has ever known;
- Danny has only visited Jaclyn a few times since he and Petitioner separated, always when Danny's mother, JOYCE DAUER, was watching her while Petitioner was at school;
- The last time Danny saw Jaclyn was late April 2013;
- During their marriage, Danny abused illegal narcotics, regularly consuming cocaine, methamphetamine, marijuana, and un-prescribed prescription medications;
- After their separation, Danny began residing with his mother at her residence, and Petitioner is informed he has continued to abuse drugs and alcohol while staying there, and often has young women (possibly prostitutes) coming and going;
- *[Paragraph 14 of Petitioner's Declaration describes an incident on 4/20/2013, which for the sake of brevity of notes, ends with Danny threatening to shoot everyone (Petitioner, Amber, Joyce, and his girlfriend Christina) while holding a gun case that he has just hit Petitioner with];*
-
- Petitioner and Danny filed a Step-Parent Adoption [for Jaclyn] which is currently pending; on 10/1/2013, Danny did not show up to a court appearance in the Step-Parent Adoption proceeding, later texting Petitioner that he isn't going to pay support for another 15 years;
- Petitioner seeks guardianship of Jaclyn based upon Danny's increasingly erratic behavior, which she believes to be caused or influenced by alcohol, narcotic, and/or prescription drug abuse;
- Petitioner also needs guardianship to enroll Jaclyn in school, and to be able to make serious medical decisions on her behalf;
- Jaclyn's biological mother consents to Petitioner being Jaclyn's guardian;
- During the past couple months, Danny has made multiple threats to take Jaclyn from Petitioner because she is not her biological mother and does not have legal custody of her (copy of text message attached as Exhibit B; text from Danny in early October 2013 stating he can take her and legally there isn't anything she can do about it);
- Danny owns firearms and has threatened to shoot her and members of her family on multiple occasions, both during marriage and after separation;
- Danny is not available: he does not answer Petitioner's phone calls most of the time, and she does not know his current residence.

Atty Boyett, Deborah K., of Walter & Wilhelm Law Group (for Petitioner Rev. Michele Racusin)

Petition for Appointment of Temporary Conservatorship of the Person

Age: 20 years		<p>TEMPORARY GRANTED EX PARTE EXPIRES 12/30/2013</p> <p><u>GENERAL HEARING SET FOR 1/30/2014</u></p> <p>REV. MICHELE A. RACUSIN, mother, is Petitioner and requests appointment as Conservator of the Person.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The proposed Conservatee requires a temporary conservatorship to provide for temporary care, maintenance and support due to a psychotic break first observed on 12/8/2013; On 12/8/2013, the proposed Conservatee was transported by ambulance to Kaiser Hospital for care and treatment after the proposed Conservatee began displaying erratic and delusional behavior while working out at the Fresno State [University] gym with friends from his ROTC unit; After several hours of observation at Kaiser Hospital, the proposed Conservatee was determined to be delusional and noncompliant, and on 12/9/2013 was involuntarily transferred to Community Behavioral Health Center (CHBC) in Fresno for confinement pursuant to Welfare & Institutions Code § 5150 as a danger to himself or others; The proposed Conservatee lives with his mother and his father in their residence, together with two of his three other brothers; the proposed Conservatee is a full-time student at Fresno State, is not employed, owns no car, and has no assets of his own; <p>~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Jennifer Young to provide CI Report and Advisement of Rights.</p> <ol style="list-style-type: none"> Pursuant to Probate Code 2250.2(c), need proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> and a copy of the <i>Petition for Appointment of Temporary Conservator</i> for: Elliot Racusin, proposed Conservatee (Note: Proof of Service by Mail shows notice was mailed to him at CBHC on 12/16/2013; however, personal service is required.) 	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	X		
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: LEG

Reviewed on: 12/18/13

Updates:

Recommendation:

File 8 – Racusin

Petitioner states, continued:

- The proposed Conservatee has no history of physical or mental health issues; however, the degree of his confusion, paranoia and delusions since 12/8/2013 indicate he will need immediate assistance to ensure he receives appropriate medical care and treatment while he recovers from his illness;
- Petitioner requests a temporary conservatorship for the purpose of immediately assisting the proposed Conservatee with planning and management of his health care needs.